

FILED

SEP 22 2013

SECRETARY, BOARD OF
OIL, GAS & MINING**BEFORE THE BOARD OF OIL, GAS & MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

In the Matter of the Petition by the Division of
Oil, Gas and Mining for an Order:

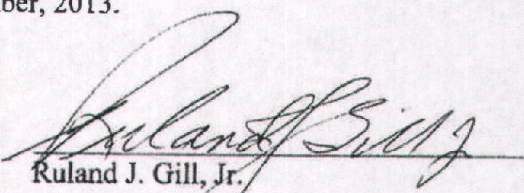
- (1) Withdrawing Southwest Stone's Notice of Intention to Commence Small Mining Operations at the Dove Creek Pass Project, S/003/0052, located in Sections 21, 22, and 27, T13N, R16W, SLB&M, Box Elder County, Utah;
- (2) Forfeiting Southwest Stone's reclamation surety for the Dove Creek Pass Project;
- (3) Authorizing the Division to complete reclamation at the Dove Creek Pass Project; and
- (4) Authorizing the Division to take all other actions necessary to recover unpaid assessments and penalties, unpaid surety, and all other costs associated with reclamation of said land from Southwest Stone.

**ORDER GRANTING MOTION TO
DISMISS WITH PREJUDICE**

Docket No.: 2013-021
Cause No.: S/003/0052

Having reviewed the Notice of Compliance with Stipulation to Judgment and Motion to Dismiss with Prejudice in the above-captioned Matter, the Utah Board of Oil, Gas, and Mining, hereby orders that this matter be dismissed with prejudice. Southwest Stone may request release of its surety, subject to the Division withholding an amount for revegetation at the mine site.

DATED this 22nd day of September, 2013.


Ruland J. Gill, Jr.
Chairman
Utah Board of Oil, Gas and Mining

CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of September 2013, I caused a true and correct copy of the foregoing ORDER GRANTING MOTION TO DISMISS WITH PREJUDICE to be served by first class mail and/or electronic mail on each of the following parties:

SOUTHWEST STONE, L.L.C.
C/O JEFFREY L. SAGERS
2421 W. 350 N.
HURRICANE, UTAH 84737
jeff@southweststone.net

ZION'S FIRST NATIONAL BANK
ATTN: RAELYNN DANIELS
ONE SOUTH MAIN ST
SALT LAKE CITY, UTAH 84133

OFFICE OF STATE TREASURER
ATTN: COLEEN HACKWELL
E315 STATE CAPITOL COMPLEX
P.O. BOX 142315
SALT LAKE CITY, UTAH 84114-2315

MIKE JOHNSON
ASSISTANT ATTORNEY GENERAL
DEPARTMENT OF NATURAL RESOURCES
COUNSEL FOR BOARD OF OIL, GAS & MINING
1594 WEST NORTH TEMPLE, SUITE #300
SALT LAKE CITY, UTAH 84114
mikejohnson@utah.gov

